NATIONAL INTELLIGENCER.

"DISORGANIZING DOCTRINES."

Judicial decisions are not generally a proper subject for popular review. While courts confine themselves to their appropriate sphere, and simply adjudicate legal points as presented, the question how far their decisions are right can be fully understood and appreciated only by professional men; and an appeal against them to popular opinion is hardly more reasonable than would be a similar appeal from Bowditch or La Place on a question in the higher branches of mathematics. But when a Judge, in pronouncing a judicial opinion, leaves the case before him and indulges in a political harangue to excite the prejudices and appeal to the passions of his hearers, no one presents a fairer mark for criticism.

The Supreme Court of Georgia, after a long and ardu-

ous struggle, was established for the purpose of bringing ight out of darkness and order out of a judicial chaos, not deserving the name of "system." The Judges first elected undertook their Herculean task with a zeal and industry worthy of all praise. The legal merits of their decisions do not, as already remarked, admit of discussion here; but it is not too much to say that while, in the vast amount of labor which they are forced to perform in a given time, uniform accuracy would be literally miraculous, their efforts, as a whole, have been generally acceptable to the bar and the public; and the uniformity beginning to appear in our Judicial proceedings wastly overbalances any evil from their mistaken decisions. Such being the fact, the Court is entitled to great indulgence for any oversight, redundance, crudity, or bad taste in their published decisions. But there is a limit to forbearance even towards a judicial officer.

This Court was intended to be, as it ought to be, above the influence of party, upon the obvious principle that the administration of justice between man and man rests on grounds far higher than those perely political. The danger of a contrary doctrine is well illustrated in the brief judicial career of the only Judge who has ever

been placed on our Supreme bench as a mere party man.
Judge Benning first took his seat at Savannah in January last. At that term seven cases were argued and decided, and are reported in Cobb's fourteenth volume. The first six of these occupy forty-nine pages of the report; the other—Padelford, Fay & Co. vs. The Mayor and Aldermen of Savannah—occupies eighty two pages. Of these, ten, at the utmost, relate to the question directly before the Court, two or three are mere matter of recital, and the remaining site of the court and the c the remaining sixty or seventy are devoted to a declamatory harangue about State sovereignty and strict con-struction. The apology for this judicial rant (it is no disrespect to give it its only proper name) is that the plaintiffs in error rested their case mainly on a decision of the Supreme Court of the United States, reported in 12 Wheaton—the case of Brown vs. The State of Maryland. Now, our Supreme Court was unanimous in the opinion that, admitting that decision to be correct, the udgment, in the case before them, must be affirmed, (p. judgment, in the case before them, must be affirmed, (p. 445.) This decision I do not propose to controvert.* If Judge Benning had stopped here all would have been well; and here he ought to have stopped; for he knows, as every lawyer does, that beyond the point in question a judicial opinion is of no authority—a mere obiter dictum—an expression of an impression, and often very loose at that. Why, then, go beyond this point? The rights as every lawyer does, that beyond the point in quession a judicial opinion is of no authority—a mere obtier an expression, and often very loose at that. Why, then, go beyond this point? The right is addition to those before given:

"It would have been a noble atonement for the fascing at that. Why, then, go beyond this point? The right is addition to those before given:

"It would have been a noble atonement for the fascing at that. Why, then, go beyond this point? The right is addition to those before given:

"It would have been a noble atonement for the fascing at the parties were settled and the case was at an end. If we had not willing to let the decision reat on 'this ground caude he have? The plant about the fascing at the fast of the fascing at the proposed with the read of the temples are Baddhist. In addition to these, there is themselves opposite to us, at the other table; while before the fascing at the standard and the case was at an end. If we would have been a noble atonement for the fascing at the standard and the case was at an end. If we would have been a noble atonement for the fascing at the standard and the case was at an end. If we would have been a noble atonement for the fascing at the standard and the case was at an end. If we would have been a noble atonement for the fascing at the standard and the case was at an end. If we would have been a noble atonement for the fascing at the standard and the case was at an end. If we would have been a noble atonement for the fascing at the standard and the case was at an end. If we would have been a noble atonement for the fascing at the standard and the case was at an end. If we would have been a noble atonement for the fascing and the case was at an end. If we would have been a noble atonement for the fascing and the standard and the case was at an end. If we will all the standard and the case was at an end. If we would not not not will the standard and the case was at an end. If we will an addition to these themselves opposite to us, at the deci on, through sixty mortal pages, to attack this case in all its bearings. This is all mere obiter dictum—the only practical result of which is to tax every purchaser of Cobb's Reports about fifty cents for so much extra printing. A "judicial opinion" it certainly cannot be styled without a perversion of language, which even the respect due to a high judicial officer will hardly excuse. It is a party harangue, and by no means of the higher order, on State sovereignty, strict construction, the old federal party, &c;

in short, a talk, de omnibus rebus et quibusdam aliis.

The Judge sets out with denying that "a decision of the Supreme Court of the United States is a binding precedent for this Court." "And," says he, "I prefer, too, to put the decision upon the Constitution itself, as I understand the Constitution, rather than upon any decision." (Page 445.)
As I understand the Constitution! The adoption of this rule of construction by Gen. Jackson as President raised a storm of indignation that no man but Jackson could have faced. The avowal of it by a Senator from Massachusetts, in a recent debate on slavery, brought upon him a series of rebukes that would have crushed the impudence out of any man but a brazen-faced abolitionist; and prominent amorg his reprovers was that distinguish-ed friend of State rights and strict construction, Judge Burler, of South Carolina. And yet a Judge of our Supreme Court avows this as the rule he follows in a delibe-rate opinion efficially reported! It must be conceded that his honor is perfectly consistent in carrying out his rule of construction; for he holds that no decision or any

constitutional question has any authority as a precedent, (p. 513.) Nothing, then, can ever be settled in reference to our fundamental law; for not only may the judge of to-day overrule the one of yesterday, but he may to-day overrule his own opinion of yesterday; and thus our con-stitutional rights are to vibrate with the changing opinions of the men who decide upon them "as they under-stand" them at the moment of decision! This is the argument ad absurdum; but its practical tendencies are far worse than its paipable absurdity. Let our Northern brethren adopt this principle, and by what tenure do you A recent decision of the Supreme Court of Wisconsin can answer.

In expounding the Constitution "as he understands

In expounding the Constitution "as he understands it," (i. s., as he understood it last January,) Judge Benning tells us that the Supreme Court of the United States "caunct make a precedent" for the Supreme Court of Georgia, (p. 506) Having gotten himself fairly "out of the record," it would have been well to travel a little further and tell us what the Supreme Court of the United States can do; for, admitting all his positions, that high tribunal has very little authority left.

This opinion (!) contains about fifty-five pages of solid matter (typographically solid) to establish by history and argument the doctrine of strict construction. I do not propose to discuss it; and, if I did, I certainly should not follow the very peculiar mode of discussion adopted by the learned Judge. It is the first time, I believe, that the construction of a law was ever made to depend on the

the learned Judge. It is the first time, I believe, that the construction of a law was ever made to depend on the arguments used in the debates on its adoption; the first time that the construction of a law was ever judicially pronounced to be "a question of fact," (p. 455.) But, admitting the construction to be correct, it is a mere political question, and is so treated. What had a Judge to do with a political question? It was not before him indicially. It was treated in its laws to before him judicially; it is not treated in judicial style. It is made

the theme of a mere party harangue.

But the Judge next takes a position which, considering the tirade he has just poured forth on politics, is, to say

. One of the Judge's positions, however, is so extraording ry that I cannot refrain from meationing it: it needs no refutation. The plaintiffs in error sought to evade a tax, laid by the City Council on imported goods, on the ground that the tax ordinance was void. The Judge, by way of concluding the control of the council of the cou the tax ordinance was void. The Judge, by way of concluding h s opinion, says, if the ordinance be void, the plaintiffs bave no right to relief, (p. 519) Why? Because, having paid the tax, and of course added that much to the price of their goods, the consumer has paid it, and they are not injured! There's "free-trade dectrine" for you! An erroneous decision must not be reversed because it harts nobody! How that fact became known to the Court we are not informed.

† It is to be noticed that, in all the remarks on which we animadvert, the Judge speaks for himself alone. His colleagues gave no opinion beyond the point decided, and authorized him to give none for them; and yet, in the head notes of the case, prepared by himself, he states all the points of his obiter dicta as if they were solemn adjudications of the whole Court. This is doubtless were inadvertence, but it is inadvertence so gross as to be culpable.

the least of it, very extraordinary. He denounces "the doorine that a decision of the Supreme Court of the United States is to dictate a man's politics to him."—(p. 508.) So mote it be! But in the same breath this same single Judge of Georgia, without the concurrence of his colleagues, dictates politics to every one of his readers!

" O! wad some power the giftie gie us," &c.

origin under the Constitution," put a false construction on that instrument, and consequently "was hurled from power, from respectability."—[N. B. The Judge's own italics—p. 494] Now, some people might be curious to know what sort of men they were to whom a Judge of our Supreme Court, speaking from the Bench, judicially and emphatically denies the character of "respectability." Why, forsooth, such loafers as Alexander Hamilton, John Jay, Fisher Ames, James Kent, John Marshall, and Charles Cotesworth Pinchney! The jurisdiction of our Georgia Rhademanthus over the posthumous "respectability" of such fellows as these need not, for the purposes of our argument, be denied; for there is something far stronger yet to come.

far stronger yet to come.

Previous to the fall of the Federal party, in 1801, the Government had existed just twelve years. During eight of these twelve it was controlled by the unbounded influence and popularity of the President, and that President was George Washington. Now, Judge Benning says the Federal party "had possession of the Government" during the whole of this period. George Washington. ment" during the whole of this period. GEORGE WASHING-row, then, according to the Judge's argument, was either a Federalist or a fool. I will not suspect the Judge of the sacrilegious indecency of choosing the latter epithet. But if he chooses the former his position is not much better; for he thus charges George Washington with being a leader of a party to which he judicially denies the character of "respectability." And in that dilemma

I leave Judge Benning.

The tenth is, this "opinion," if it can so be called, was conceived in the worst possible taste and has been brought forth by the worst possible judgment. Only a few of its most striking faults have been pointed out. It was a task too long and thankless to specify them all; for verily

their "name is Legion."

The Supreme Court is, in the writer's opinion, the most important and useful branch of our Government— indispensable to a correct administration of justice and the security of the rights of person and property. But it has many and powerful enemies. It was established with great difficulty, and its opponents would break it down to morrow if they could. But all its enemies together have never done as much to undermine its influence as this one act of one of its own members. "Save me

from my friends!"

A few more such decisions, and public confidence in the Court-public respect for it-will be at an end. It is the first of the kind : I trust it will be the last. RICHMOND.

NEW WHALE FISHERY.

A few days since we stated that a new fishing ground for whales had been discovered in the Arctic regions, and that the parties interested had concealed much of the information relating to it. The London Times received by the last arrival contains fuller particulars of this important discovery, from which we have gleaned some facts for giving the preference to classic studies, he centinues:

when boiled, could be conveyed by gutta percha and other pipes to every tank in the hold. Boilers and a supply of coal for boiling the oil on land while in winter quarters, were also taken, as well as a plentiful supply of provisions

Two ships thus equipped, and manned with thirty-three men and three boys, sailed from Aberdeen on the 13th August, 1853, and reached the fishing ground in Baffin's Bay on the 17th of September, where they found an abun-dance of whales, ten of which they killed and secured be-

dance of whales, ten of which they killed and secured before the 1st of November. They then went into winter
quarters in Hogarth's Sound, erected their boiling-house,
and set to work to boil their oil. In this work they were
assisted by fifty Esquimaux engaged for the purpose.

Their efforts were entirely successful, notwithstanding
the cold was forty degrees below zero. The active duties
of the men tended to preserve their health, and none felt
time to hang heavily. But, singular as it may seem, that
dreadful scourge, the cholera, broke out among the Esquimaux and swept off many, while the crew escaped with
slight premonitory symptoms.

Slight premonitory symptoms.

Early in the following spring (the present year) the fishing was resumed with great success, although the edge of the ice was twenty miles from the ships. Seventeen more whales were killed, and, after being cut up, were transported by the Esquimaux on sledges drawn by dogs over the ice to the ships, where the oil was boiled as before. One ship was soon filled with boiled oil and whalebone, when Capt. Penny sailed for Aberdeen, leaving the other ship to continue the fishing and boiling.

The Captain is of opinion that with a large commercial

company the fishery could be prosecuted along an extensive coast line and with great advantage. Two American ships had anticipated the English expedition, and had been equally successful.

No traces of Sir John FRANKLIN were found. Deer and other wild animals abounded. Capt. Penny still and a polar basin yet to be discovered, and those who cling to the hope that Sir John Franklin and his crews still survive believe him to be within the open sea or polar basin referred to .- Providence Journal.

Horristz Murder.-One of the most horrible murders we ever had to record was perpetrated in Princess Anne, (Va.) on Friday evening, upon the person of Augustus McAlpin, Esq., a highly esteemed young farmer of that county. He was on his way home from court, where he had been in attendance as a grand juror, and met his death about three miles this side the court-house, on the Holland symme road where his held was formed. death about three miles this side the court-house, on the Holland swamp road, where his body was found on Saturday morning literally cut to pieces, no less than thirty-three wounds having been inflicted upon it. The doctors who were summoned before the coroner's inquest testified that twenty-three out of the thirty-three were mortal. When found he was laying upon his coat, of which he was partially divested, his left arm alone remaining in the sleeve, giving rise to the inference that he was disabled before having time to make the least resistance to the dastardly attack of his murderer. He was known to abled before having time to make the least resistance to the dastardly attack of his murderer. He was known to be unarmed, and his pocket-book and all other articles usually worn about his person were found untouched. His horse was met on his way home with the bridle His horse was met on his way home with the bridle broken and the stirrups thrown over the saddle. Suspicion of having committed the foul deed fell upon Mr. William Ewell, also of Princess Anne, who was arrested on Saturday and taken before the examining Court. But after a long sitting, the evidence not appearing sufficient for his committal for trial, the Court discharged him.

[Norfolk Beacon.

DIED AT THE MAST HEAD .- A man, supposed to be about 38 years of age, whose name was not ascertained, died suddenly at New Orleans, on the 20th instant, at the most head of the ship Judith. The man was a ship ingger by profession, and had been called aboard by the captain of the vessel to rig out the ship. He ascended the rigging, and about an hour afterwards was seen lying across one of the yardarms perfectly motionless. One of the sailors from the deck hailed him, but, receiving no answer, went up to see what was the matter. He found that he was dead; took him up in his arms and carried him down to the deck, where an inquest was held on his body, and a verdict of "died from disease of the heart"

RRIEF NOTES ON AN ORATION.

An Address delivered before the Literary Socie ties of the Virginia Milimy Institute at Lexington, on the 4th of July, 1854. By B. J. Barbour, of Orange county, Virginia. Published by request of the Societies. Rich-mond: Macrablane & Frigueson, 1854." 8vo. pp. 32.

Under this head we copied into our paper a few weeks ago, from an Alabama journal, some comments on an official Opinion of a Judge of the State of Georgia repudiating all obligation in his capacity of Judge to be governed by the decisions of the Supreme Court of the United States. Not long after the appearance of that article we received from a gentleman in Georgia a copy of the subjoined review of the Judge's opinion; which, though somewhat free, does not, we think, exceed the bounds of fair criticism; and, being both able and just, we have concluded to give it to our readers, although circumstances have delayed its appearance longer than we could have wished.

PROM THE AUGUSTA CHEONICLE.

Judicial decisions are not generally a proper subject

Judicial decisions are not generally a proper subject

Lord the United States, from the beginning "to the date hereof." He proceeds to analyse the Supreme Court of the United States, from the beginning "to the date hereof." He kess up Marshall and Story, gives the Supreme Court of the United States, from the beginning "to the date hereof." He kess up Marshall and Story, gives the Supreme Court of the United States, from the beginning "to the date hereof." He kess up Marshall and Story, gives the Supreme Court of the United States, from the beginning "to the date hereof." He kess up Marshall and Story, gives the Supreme Court of the United States, from the beginning "to the date hereof." He kess up Marshall and Story, gives the Supreme Court of the United States, from the beginning "to the date hereof." He kess up Marshall and Story, gives the Supreme Court of the United States, from the beginning "to the date hereof." He kess up Marshall and Story, gives the Supreme Court of the United States, from the beginning "to the date hereof." He kess up Marshall and Story, gives the Supreme Court of the United States, from the beginning "to the date hereof." He kess up Marshall and Story, gives the Supreme Court of the United States, from the beginning "to the date hereof." He ke to the prosperity of the land we live in, while the most But the attack on the first jurists of the country does absurd and impracticable schemes for forcing upon other But the attack on the first jurists of the country does not satisfy the Judge. Still leaving the case before him, he goes on to give, "as he understands it," the history of some of our great political struggles, and even descends to a denunciation, without measure or mercy, of the entire old Federal party, co nomine. He says that this party, "having had possession of the Government from its origin under the Constitution," put a false construction on that instrument, and consequently "was hurled from "Hang Europo's balance, mind your own." the orator "Hang Europe's balance, mind your own," the orator thus speaks:

"It seems to me, my friends, that we busy ourselve "It seems to me, my friends, that we busy ourselves too much with these things already; that there is a stronger wish to set the world to rights than to keep our. own houses in order. I would not wish of course to discourage an enlightened acquaintance with current history, or seek to check investigation in all proper and legitimate directions; but I think that all sober-minded people will agree with me in asying that there is too great a tendency in the present age to expansiveness at the expense of profundity; that tinsel and venering are too readily accepted in the place of solid mahogany and pure gold; that the broad views we hear so much of only encourreadily accepted in the place of solid mahogany and pure gold; that the broad views we hear so much of only encour-age shallow thinking; that quidnunes are increasing more rapidly than intelligent citizens; and that the electric telegraph, that mad gossip, as Falstaff would have called it, is too true a type of an age that I greatly fear would rather have the latest piece of slander flashed along the wires than to be assured of the recovery of the lost de-cade of Livy, and boasts a knowledge of the seat of war in Eurôpe that it does not possess of the map of its own country." country.

We heartily join Mr. BARBOUR in the following tribute to a son of Virgisia, now our own respected fellowcitizen:

plish for himself in our distinguished fellow-citizen, MATTHEW F. MAURY. We proudly claim him as a Virginian by birth, but freely relinquish him to the world of ecience for its adoption. We see in him a man whom kings have sought to decorate and nations have learned honor; as one who desires knowledge less for his own fame than for the good of mankind. His wind and cur-rent chart, second only in value to the compass, has taught the mariner in every sea the habits of the shifting winds and customs of the mountain billows, and has given him a name that is uttered with gratitude on every pass-ing breeze and borne in thunder on every passing gale that sweeps the stormy deep."

He speaks in confident and glowing terms of the capapilities of Virginia, the rich gifts with which a bounteous Nature has endowed her; but laments the erroneous system of policy by which it has been thus far unsuccessfully sought to bring them into profitable exercise.

We cannot resist the temptation of adding another quotation from this excellent address, not only because of the good advice it contains, but for the real eloquence

in which it is conceived: "There is one book that I would place in the centre of your thoughts as I would place the jewel in the crown and the keystone in the arch."

And then, after a brief and merited censure of Bulwer

I believe, with a distinguished English writer, that, even if Greek literature were lost, it would be remembered only as a generation of flowers is remembered; whereas the Bible, 'itroducing itself to the secret places of the heart, and nourishing there the germs of those awful spiritualities which connect us with the unseen world,' can never perish. The Greak classics belong to the library of the scholar, but the Bible is the literature of humanity. humanity,

"'And for this single cause, That we have, all of us, one human heart."

RAGS AND PAPER.

FROM THE NEWARK DAILY ADVERTISER. Every thing is dear; even rags are up so much that the very beggar carries a treasure on his back. Ragpicking has grown into a respectable trade—or, in the language of the day, profession—occupying the time of numbers of the constituency of mayors and aldermen in our large cities. Rag Fair has dropped its old name and taken up the more sounding one of tatter-demalion convention.

onvention.

In this extremity, when the very name of rags is going out of fashion, it is no wonder that the things themselves should be hard to find. Every body is therefore on the scent for a substitute. They cannot wait for cloth to wear out. It either don't turn to rags as it used to do, or it goes beyond without stopping, like a melon that rots before it is ripe. Things, it is thought, instead of turning to holes and tatters by tare and tret, must turn into the unknown x of algebraic notoriety, and wholly disappear in an equation.

disappear in an equation.

What shall be done, then? exclaim the bookmaker, the

What shall be done, then? exclaim the bookmaker, the pamphleteer, and daily journalist. Fig leaves once made good cloth, passable at least and satisfactory to Adam and his wife, but will they make cheap paper for present use? Bark, straw, hay, and stubble have been anscultated by doctors in this great complaint of the press, but they do not find them yet exactly good candidates for consumption.

In this universal paper mania which rages about rags we can think of but three ways in which the world may expect relief. The first is, that Europe may continue to send us, if possible, a still larger supply of rags on the backs of the cargoes of town paupers she is shipping to this country. Should this supply not prove sufficient, then the want may be made up, in the second place, by subscribing very largely for the daily papers of implement of course we have the article desired at a profit.

desired at a profit.

For fear, however, lest these two excellent methods are For fear, however, lest these two excellent methods are not practical enough for use, a third expedient is suggested, which has been prudently adopted by the New York Tribune; this is, print less, use less paper. This is something sensible and intelligible. Will any body suffer from a partial abstinence from the consumption either of paper or spirits? On the contrary, we think in the consumers, and we believe the purveyors, of both would be large gainers. Is any body the better for eternal reading any more than for everlasting drinking? There is nothing so good under the sun that one may not have too much of it. With much diffidence and tenderness we suggest that not only are books getting to be rather an abundant crop, but even the dimensions of newspapers, the glory of Americans, the absolutely necessary morning meal of millions, might be pared down like a potato and lessened of a large quantity of husk without any considerable detriment to the health, comfort, and understanding of the sovereign people of American. They would not be less valuable if there was less of them. For example, does anybody think the worse of the paper mentioned because the outside rind has been the sum that the transition of the sum that the transition of the sum that the sum that he had the sum that one may not be sum that one may be sum that one may be suffered to the

FROM THE JAPAN SQUADRON.

FROM THE JOURNAL OF COMMERCE.

We are under obligations to a friend for the following letter from an intelligent officer in Commodore PERRY's Squadron. It contains much the fullest and most graphic account of the operations of the squadron, and of the proceedings relative to the negotiation of the treaty on the second visit of the United States ships to the Japanese waters, that we have seen. It will be observed that the writer, whom we well know to be perfectly reliable, and who had not the remotest conception of writing for publication, says that the Commodors yielded to
the entreaties of the Japanese commissioners and interpreters and did not approach even within sight of Jedo.
This is in seeming contradiction to the account previously published, which represents that the Powhatan
and Mississippi ran up and lay half an hour before
the town without anchoring; but we are told on the same
authority that the sailing vessels meantime were far

on shore and ramble about in a circuit for ten miles,
much to our delight, as we all felt the want of exercise.

Excepting at Yokohama, where we were not allowed to go
ince we left Lew Chew. They watched us very closely
at first, sending guards of soldiers to accompany us,
shutting the shops, and concealing the women; but in a
few days these restrictions were removed, and we were
left undisturbed to wander where we pleased. The town,
containing 8,000 people, is pleasantly situated in a wellcultivated valley, surrounded by high hills that concael
from view the entrance to its safe and picturesque harform view the entrance to its safe and picturesque harauthority that the sailing vessels meantime were far authority that the sailing vessels meantime were far astern, and the letter which we give to-day is dated on board the Vandalia. It would seem matter of surprise, however, that, if the two steamers had "halted for about half an hour" before the capital, the fact should not have half an hour" before the capital, the fact should not have his own principles, are not binding for a day even on country, and which too often leads to a total apathy as been known throughout the squadron; and, in view of

We sailed from Lew Chew on the 31st January, in company with the Macedonian, Southampton, and Lexington, and, without any thing particular occurring on the passage, arrived at the entrance of Jodo bay on the 12th of February, where the Commodore with the three steamers joined us, having sailed several days after. Each steamer then took one of the sailing vessels in tow, and in that manner we entered the bay, one of the most beautiful in the world, and where no foreigner had ever visited bafore. Our ships, with their sails furled, moving up at the rate of eight miles an hour against a head wind, was an astonishing sight to the natives, who in great numbers were looking at us from the shore.

Previously to the Commodore's visit last year they had nover seen a steamer. The Japanese had expected that

nover seen a steamer. The Japanese had expected that we would have stopped where the Commodore did before, viz. at Uraga, a little town situated in the entrance to the bay, where they had made preparations to receive us; the bay, where they had made preparations to receive us; but he resolved to get as near to the capital as possible; so we ran up and anchored in the middle of the bay, within eight miles of the city, notwithstanding the entreaties of the interpreters to the contrary. About two weeks were spent here in fixing upon a place to negotiate, the Japanese importunity us to go back to Uraga, while the Commodore insisted upon going to Jedo. They objected so strongly, however, that he at last determined to conciliate them, and a compromise was effected by which the town of Yokohama was appointed as the place of meeting between the Imperial Commissioners and himself. This place contains about 10.000 people, and is situated. This place contains about 10,000 people, and is situated on the shore just opposite the then anchorage of the ships. So we sailed in and moored in line, with our broadsides

bearing upon the town.
On the 8th of March, the day appointed for the first. meeting, quite a display was made. About nine hundred officers, seamen, and marines, armed to the teeth, landed, and, with drums beating and colors flying, were drawn up on the beach ready to receive the Commodore. As were borrowed from Pagans. Great liberty of conscience exists. Every Japanese has a right to profess whatever faith he pleases, provided only it be not Christianity. Religious sects are said to be as numerous as they are in the cocasion. Thousands of Japanese expressly for the occasion. Thousands of Japanese expressly for the occasion. Thousands of Japanese expressly for the occasion. Thousands of Japanese soldiers crowded the shore and the neighboring elevations, looking on with a good deal of curiosity and interest. The house was nothing but a plain frame building, hastily put up, containing one large room—the audience hall—and several smaller for the convenience of attendants, &c. The floor was covered with mats and very pretty painted screens adorned the sides. The long tables and benches, covered with a red woollen stuff, placed parallel to each other, three handsome braziers, filled with burning charother, three handsome braziers, filled with burning char-coal, on the floor between them, and a few violet-colored crape hangings suspended from the ceiling, completed the furniture of the room. As we entered we took our seats at one of the tables. The three Japanese Commissioners, all Princes of the Empire, soon came in and placed themselves opposite to us, at the other table; while behind us both, seated on the floor on their knees, (their usual position, for they do not use chairs,) was a crowd of Japanese officers, Mandarins, &c., forming the train of

the intolerable ceremony observed by them, quite humiliating to a Democratic Republican. A question proposed had to pass first through the interpreters, and then through several Mandarins ascending in rank, before it could reach the Commissioners, every one bowing his forehead to the floor before he addressed his superior. Refreshments were served immediately in elegantly lackered dishes: first of all tea, which, as in China, is the constant beverage; then different kinds of candy and sponge cake, (they are excellent confectioners and very fond of sugar;) lastly, oranges and a palatable liquor distilled from rice called sacki. A flimsy banquet like this was not very agreeable to such hungry individuals as we, and we were the more disappointed, for, the Japanese using only chopsticks, we had, previously to coming ashore, taken the precaution, as we shrewdly thought, to provide ourselves with knives and forks. Imagine, then, our chagrin when finding nothing substantial upon

ing ashore, taken the precaution, as we shrewdly thought, to provide ourselves with knives and forks. Imagine, then, our chagrin when finding nothing substantial upon which to employ them! What was left on our plates was wrapped in paper and given to us to carry away, according to the usual custom in Japan.

The Commissioners were intelligent looking men, richly dressed in gay silk petticoat pantaloons and upper garments resembling in shape ladies short gowns. Dark-colored stockings and two elegant swords pushed through a twisted silk girdle finished the costume. All the Mandarins and high officials are dressed in this manner. Merchants, laborers, &c. are not permitted to carry swords, and, instead of petticoat trowsers, wear tights made of coarse ofton stuff. Straw sandals are worn, but are always slipped off upon entering a house. They do not cover the head, the top and front part of which is shaved, and the back and side hair, being brought up, is tied so as to form a tail three or four inches long that extends forward upon the bald pate, terminating about half way between the apex and the forehead. It is a very comfortable fashion, and, were it not for the quantity of grease used in dressing it, would be a very cleanly one.

Two audiences a week were held, at which the same

able fashion, and, were it not for the quantity of grease used in dressing it, would be a very cleanly one.

Two audiences a week were held, at which the same programme was performed as related above, except that we fared more luxuriously. Becoming better acquainted with our taste, they feasted us with a broth made of fish, boiled shrimps, hard boiled eggs, and very good raw oysters. At one of the interviews the presents from our Government were delivered. They consisted of cloths, agricultural implements, fire-arms, &c., and a beautiful locomotive, tender, and passenger car, one-fourth the ordinary size, which we put in motion on a circular track at the rate of twenty miles an hour. A mile of magnetic telegraph was also erepted on shore and put in operation. The Japanese were more interested in it than any thing else, but never manifested any wonder. So capable are they of concealing and controlling their feelings that they would examine the guns, machinery, &c. of the steamers without expressing the slightest astonishment. They are a much finer looking race than the Chinese—intelligent, polite, and hospitable, but proud, licentious, unforgiving, and revengeful.

On the 31st March negotiations terminated, and a treaty was drawn up and signed. Its terms are much more favorable than we had anticipated they would be. They were willing to give us two ports to trade at, agreed to furnish coal for our steamers, and promised to protect our seamen who might be shipwrecked on their coast.

Just before the treaty was concluded the Commodore gave an entertainment to the Japanese officials on the gnarter-deck of the Powhatan. They did full justice to

selves to their under garment, when the Commodore, seeing their resolution inflexible, turned his ships about an anchored a considerable distance down the bay. It would

anchored a considerable distance down the bay. It would have been in the highest degree censurable to have gratified our curiosity at the expense of so much life; so we were obliged to content ourselves without having had even a glimpse of one of the largest and most remarkable cities in the world.

The squadron sailed from the bay on the 17th April to visit Semodo, about sixty miles distant, one of the ports granted us by the treaty. Here we were permitted to go on shore and ramble about in a circuit for ten miles, much to our delight as we all felt the want of exercise.

however, that, if the two steamers had "halted for about half an hour" before the capital, the fact should not have been known throughout the squadron; and, in view of the particularity with which the writer whose letter we now give declares that they were obliged to content themselves "without having had even a glimpse of one of the largest and most remarkable cities in the world," be statement that the steamers actually lay in front of the statement that the steamers actually lay in front of the city of Jedo.

U. S. Ship Vandalia,

Bay of Jeddo, Japan, April, 1854.

We sailed from Lew Chew on the 31st January, in company with the Macedonian, Southampton, and Lexington, and, without any thing particular occurring on the passage, arrived at the extrance of Jedo hay on the 12th of February, where the Commodors with the three steamers joined us, having sailed several days after. Each steamer than took one of the stiling vessels in tow, and in that manner we entered the bay, one of the most beautiful in the world, and where, no foreigner had ever visited before. Our ships, with their sails furled, moving up at the rate of eight miles an hour against a head wind, was an astonishing sight to the natives, who in great numbers of the idols on these altars are so similar to those I have seen in the churches in Italy that if they were mutually seen in the churches in Italy that if they were mutually translated I doubt whether either set of worshippers would discover the change. The priests count beads, shave their heads, and wear analogous robes, and the service is attended by the ringing of bells, the lighting of candles, and the burning of incense. In fact, except that the cross is nowhere to be seen, one could easily imagine himself within a Roman Catholic place of worship. During the seventeenth century Christianity was introduced by the Jesuits, and for a time made rapid progress; but the missionaries, inflated by success, became haughty and presumptuous, and, beginning to interfere in politics and government, brought about a violent persecution. So deadly a hatred was conceived against the Portaguese that in the space of forty years they and their religion that in the space of forty years they and their religion were completely extirpated. Even to this day, in certain parts of the empire, the custom of trampling on the cross is annually celebrated. To such a pitch were the Japan-ese exasperated that none of the Romish ceremonial was

permitted to survive.

Now the resemblance in the outward forms of the two religions, as I have mentioned above, is strikingly remarkable, and is an interesting fact in reference to the priority of the ceremonies of the Church of Rome, as it is still undetermined whether they originated with herself or were borrowed from Pagans. Great liberty of conscience punishments. Buddhism, the most widely-diffused religion of India, is supposed to have been introduced about the sixth century. Its principal tenet is the Metempsychosis or transmigration of the soul. The Buddhists believe that the spirits of the departed enter into the bodies of animals, and there remain passing from one animal to another, until, their sins on earth being purged away, they are received into the realms of everlasting happiness. They abstain from all animal food, and their priests are under a vow of celibacy. The great majority of the temples are Buddhist. In addition to these, there are sects of philosophers who hold the morality of Confucius in great estimation. The whole tenor of their doctrine is to render mankind virtuous in this life. They endeavor to preserve a good conscience, inculcate filial affection and a due obedience to the laws of their sovereign. All these different faiths have become so mingled and blended together, and their doctrines have so penetrated each other, that scarcely any religion preserves its

black.

On the 6th of May, in company with the squadron, we sailed from Semodo, and in five days arrived at Hockodate, the second port that the Japanese had opened to us. It is situated on the island of Jesso, is much larger than Semodo, and possesses a safe and commodious harbor. Our whalers will find it a convenient place of resort.

Having completed the survey of the harbor, we sailed for Shanghai on the 31st of May. The Commodore, after touching at Semodo and Lew Chew, will return to Hong Kong, from whence he expects to sail for home in the autumn. He then intends publishing a complete history of the expedition. He has drawings of all the important events, so that there will be no want of illustration to render his book interesting.

render his book interesting.

The Japan expedition has thus terminated its mission successfully; disappointing the expectations of those who said it would accomplish nothing and realizing the hopes of those who thought well of it. It has done more than any nation has been able to do for the last two central contents. turies. It has done, at small expense and without shedding a drop of blood, that which cost the English to do

they would examine the guns, machinery, &c. of the steamers without expressing the slightest astonishment. They are a much finer looking race than the Chinese—intelligent, polite, and hospitable, but proud, licentious, unforgiving, and revengeful.

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Just before the treaty was concluded the Commodore gave an entertainment to the Japanese officials on the quarter-deck of the Powhatau. They did full justice to American cookery, and were exceedingly fond of champagne, under the influence of which they became so very merry and familiar that one of them vigorously embraced the Commodore, who, until his epaulets began to suffer in the struggle, was very good naturedly disposed to endure it.

PROGRESS OF CANT AND FAMATICISM.—Beformed drunk-

fort, and understanding of the sovereign people of America. They would not be less valuable if there was less of them. For example, does anybody think the worse of them. For example, does anybody think the worse of them, but helps wisely taken off? The process does not hurt, but helps the remainder that is left. And no reasonable man would think of fading fault even if the knife of retreachment think of fading fault even if the knife of retreachment think of fading fault even if the knife of retreachment that as left. And no reasonable man would have been as the said, to salute the Emperor, but in reality to get a view of that celebrated place. The Commissioners informed him they had no anthority to permit it. But he seed that any of the excellent editorials would suffer that may of the excellent editorials would suffer the noticing and even perment in parse is not a bad device; and even perment in parse is not a bad device; and even perment in parse is not a bad device; and even perment in parse of the commissioners would do the same also. He endeaded by John A. Mund, who has spent twelve years of the notorious Henry Wystt, and a lesser of the came the device; and even perment in parse of a middle perform the last knowledge is to be taught by "precept upon precept," line upon line, "there dilite and there a title."

SCHOOL BOOKS in great variety for sale at the lowest prices in every case by "FRANCK TAYLOR."

The goonass of Cant and Paxaticism.—Reformed drunk-the dependent of the public that numbers are tempted to go into these with difficulty lash him to the bed, which, is his sane more large, gamblers, &c. have figured so, reformation with difficulty lash him to the bed, which, is his sane more large, gamblers, &c. have figured to prefer the mark of the mark of the public that numbers are tempted to go into these with difficulty lash him to the bed, which, is him the commissioners with the demands of the public. Mr. Samuel Head, "the reformed burgles and robber," and easier of the game is not a bad device; a

CLOSING SCENES OF THE SESSION OF 1820-'21.

The announcement of the death of the Hon. JOHN W. TAYLOR, of New York, has brought to mind some of the prominent incidents connected with his Congressional career, which may be of interest enough at this time to be reprinted.

Congress assembled on the 13th November, 1820, and ports the House of Representatives had a protracted balloting for the office of Speaker, Mr. CLAY, the actual Speaker, having written from Lexington, Kentucky, under date of the 28th October of that year, notifying the Clerk that, owing to imperious circumstances, he would not be able to attend until after the Christmas holydays, and therefore would ask the House to allow him to resign the office of Speaker, which he then had the honor to hold.

Accordingly, when the House met, the balloting was ommenced for Speaker. Mr. John W. Taylon, of New York; Mr. WILLIAM LOWNDES, of South Carolina; Mr. SAMUEL SMITH, of Maryland; Mr. JOHN SERGEANT, of Pennsylvania, and Mr. Hugu Netson, of Virginia, were severally voted for. Seven ballotings were had on that day without a choice. On Tuesday, the 14th, there were twelve more. On Wednesday, the 15th, there were three, (the contest being narrowed down to three candidates;) and on the twenty-second ballot Mr. Taylon was chosen— the vote being, for Mr. Taylon 76, Mr. Lownnes 44, and Мг. SMITH 27.

The balloting had been carried on with some degree of excitement, for the reason that Mr. TAYLOR had been, the year before, (January 26th, 1820,) the mover of the following restriction upon the proposed State of Missouri:
"And shall ordain and establish that there shall be

"And shall ordain and establish that there shall be neither slavery nor involuntary servitude in the said State, otherwise than in the punishment of crimes whereof the party shall have been duly convicted: Provided, always, That any person escaping into the same from whom labor or service is lawfully claimed in any other State, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid: And provided, also, That the said provision shall not be construed to alter the condition or civil rights of any person now held to service or labor in the said Territory."

[It will be seen that this provision, which was not adopted by Congress, is totally different from the Territorial restriction known as the MISSOURI COMPROMISE; and it will be seen, too, that Mr. Taylor had inserted a feature providing for the return of fugitive slaves.]

Mr. TAYLOB, however, proved himself to be an able and impartial presiding officer; and on the 3d of March, 1821, (after the settlement of the Missouri question,) Mr. CLAY desired to give an evidence of the consideration in which Mr. Taylor and his services as Speaker were held by him. Accordingly, he rose and addressed the House to the following effect, alluding to the happy results that had been brought about by the spirit of conciliation and patriotism:

"I rise to submit a motion which, if it should conciliate the general concurrence of this House, I shall be extremely glad. The present session was commenced under very unpleasant auspices. In the appointment of a presiding officer of the House the first manifestation was made of that unfortunate division of opinion which has been the peculiar characteristic of the session. The storm has happily subsided, and we have the great satisfaction to behold the ship of our confederacy unimpaired by its rage; her hull, her rigging, and her patriotic crew completely fit for a long and glorious voyage, under the starspangled banner which proudly floats aloft.

"The moral of that agitating drama, of which, for more than two years past, our country has been the theatre, is that, whilst our Federal Union is admirably fitted to accomplish all the national purposes for which it was intended, there are delicate subjects exclusively appertaining to the several States which cannot be touched, but by them, without the greatest hazard to the public tranquillity. They resemble those sceluded apartments in our respective domicils which are dedicated to family privacy, into which our nearest and best neighbors should not enter. Let us terminate the session by making that officer the depositary of our enjire reconciliation, whose election first elicited our divisions and whose situation has been "I rise to submit a motion which, if it should concili-

the depositary of our entire reconciliation, whose election first elicited our divisions, and whose situation has been extremely arduous and difficult. For my part, I have great pleasure in testifying to the assiduity, impartiality, ability, and promptitude with which he has administered the duties of the chair since I was able to take my seat.

roice. Mr. TAYLOR then made his acknowledgments in suitable terms, concluding with the prayer that, "under the protecting care of a benign Providence, each member might enjoy the continued confidence of the wise and good, and largely contribute to perpetuate the union and glory of our common country."

THE HORRORS OF PESTILENCE.

Extract of a letter dated Savannah, September 9.

Extract of a letter dated Savannah, September 9.

"My oldest son has been down ten days—his case-hopeless part of the time; is better new. Brother Payne, my colleague, is very sick. I am worn out, and there is scarcely a well man left in the city. God seems to have marked us for his vengeance. Do pray for us.

"Yesterday, stormy as it was, a man left his dead wife in bed and all his housebold matters and left the city. At another house I went to I found all sick, and asked how they were in the paxt house. They said they heard something like a map fall on the floor in the night. I pushed open the door and found a man dead on the floor. He had pitched out of bed in his death struggle and died with his feet apainst the door. His wife was speechless in another room. There had not been a soul to see them die.

turies. It has done, at small expense and without shedding a drop of blood, that which cost the English to do in China great loss of life and millions of treasure. It has entered a wedge which, in time, will be the means of opening the empire to the whole civilized world, and of removing the restrictions that characterize the policy of this exclusive people. The peaceful manner in which all this has been effected, and the energy and firmness with which the instructions of our Government have been carried out, well deserve the admiration of the world.

Shanghai, June 13.

We arrived here to-day, after a pleasant run through the Japan Sea. The U. S. ship Plymouth was anxiously expecting our arrival. We relieve her; she goep home, glad enough to return after a three years' croise. The U. S. ship Susquehanna is also here, with Mr. McLang, the new Minister, on board. She carried him to Nanking on diplomatic business. The object of his mission is to procure from the rebels a mare favorable commercial treaty than has beretofore existed under the old Government. He has not been able to effect any change yet on account of the extraordinary position assumed by Typingwan, the leader of the rebels. He affirms that he

king on diplomatic business. The object of his mission is to procure from the rebels a more favorable commercial treaty than has heretofore existed under the old Government. He has not been able to effect any change yet on account of the extraordinary position assumed by Typingwan, the leader of the rebels. He affirms that he is the elder brother of Jesus Christ, that he is sent to govern all nations, and will have no communication with outside barbarians unless they admit his pretensions, and, by prostrating themselves before him, acknowledge his superiority. Of course our Minister could not listen to these humiliating conditions, and upon such abject terms very properly declined an audience.

The Susquehanna will soon sail for Philadelphia.

This port of China is in the greatest disorder, suffering all the borrors of war. There is no telling when the present condition of things will end. The rebels still occupy the city, and are besieged by the imperialists. Nearly controlled the property of the rest complaining, and we are about the best off. I fear to cannot keep up long. I am now so nervous that I cannot keep up vering that he was then in a state of intoxication, as was generally his oustom, they conveyed him to the jail, and there, instead of recovering from his drunkenness, he continued in a speechless stupor until evening, when the poor victim expired. There is in this terrible incident a sermon in favor of temperance and sobriety more powerful and elequent than all the efforts that lecturers might make in a twelvementh. But a few years ago and there was youth and hope and the love of family and friends for this young man. A slave to his own passions, he sacrificed all, and to-day lies in an untimely grave.

[Lousville Courier.

From the Buffalo Courier we learn the death in that city of LAWMENCE MYERS of hydrophobia. His agony during his paroxysms was terrible to behold, and his struggles were so fearful that five powerful men could with difficulty lash him to the bed, which, in his same moments, he requested them to do. His life for the last three days had been prolonged only by Dr. Hawley having opened the throat and inserted a tube, through which the wretched man drew his scanty breath. On Monday night he died. He leaves a wife and five small children in rather needy circumstances.